Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

Message Text

LIMITED OFFICIAL USE

PAGE 01 STOCKH 05580 051513Z

43
ACTION L-03

INFO OCT-01 EUR-12 ISO-00 DODE-00 EB-07 NRC-05 NSAE-00

TRSE-00 ERDA-05 CIAE-00 COME-00 OPIC-03 AID-05 MC-02

PM-04 H-02 INR-07 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 FTC-01 /087 W
---------- 010226
R 051400Z NOV 75
FM AMEMBASSY STOCKHOLM
TO SECSTATE WASHDC 6080

LIMITED OFFICIAL USE STOCKHOLM 5580

E.O. 11652: N/A
TAGS: BGEN, PFOR, PINR, MASS, SW
SUBJECT: BRIBERY OF FOREIGN OFFICIALS BY US FIRMS OPERATING ABROAD:
APPLICABLE SWEDISH LAWS

REF: A. STATE 258169; B. STATE 255260; C. STOCKHOLM 5547

1. BRIBERY OR OTHER OFFENSES COMMITTED BY CIVIL SERVANTS ARE COVERED IN SWEDISH CRIMINAL CODE (BR 20.1 AND 20.2), AS FOLLOWS (EMBASSY TRANSLATION):

A. ARTICLE 1. SHOULD A CIVIL SERVANT, THROUGH SOME ACTION OR NEGLIGENCE ON HIS PART, ABUSE HIS POSITION TO THE DETRIMENT OF THE GENERAL PUBLIC OR TO AN INDIVIDUAL, HE SHALL IN THE EVENT THE OFFENSE DOES NOT CONSTITUTE EMBEZZLEMENT OR BREACH OF FAITH OR IS OTHERWISE PUNISHABLE BY LAW, BE SENTENCED TO SUSPENSION OR REMOVAL FROM OFFICE. SHOULD SUFFICIENT REASON BE AT HAND, HE SAHALL FURTHERMORE BE SENTENCED TO IMPRISONMENT FOR NOT MORE THAN TWO YEARS. FOR TRIVIAL OFFENSES, A FINE MAY BE IMPOSED.
B. ARTICLE 2. A CIVIL SERVANT WHO ACCEPTS, ACKNOWLEDGES A COMMITMENT TO RECEIVE, OR WHO REQUESTS A BRIBE OR OTHER IMPROPER REWARDS IN THE CONDUCT OF HIS DUTIES SHALL, IN THE
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 STOCKH 05580 051513Z

EVENT THE OFFENSE IS NOT OTHERWISE PUNISHABLE BY LAW, BE

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

SENTENCED FOR THE ACCEPTANCE OF BRIBES OR OF OTHER UNJUSTIFIABLE REWARDS IN THE MANNER AS PRESCRIBED IN ART. 1. THIS PROVISION SHALL APPLY TO THE SAID CIVIL SERVANT EVEN IF THE OFFENSE HAD BEEN COMMITTED PRIOR TO HIS APPOINTMENT.

2. SWEDISH LAW OF MAY 29, 1931, AS AMENDED, CONCERNING UNFAIR COMPETITION, AS IT RELATES TO BRIBERY, HAS THE FOLLOWING PROVISIONS WHICH APPLY TO GOVERNMENT AND NON-GOVERNMENT OFFICIALS (FULL TEXT TRANSLATED BY EMBASSY):

A. ARTICLE 6. A PERSON WHO GIVES, COMMITS TO GIVE, OR OFFERS TO PROVIDE A GIFT OR OTHER FAVOR TO SOMEONE ENGAGED IN BUSINESS, EMPLOYED WITH A BUSINESS ENTERPRISE, AN AGENCY, INSTITUTION, OR A FOUNDATION WITH THE INTENT OF BRIBING THAT PERSON IN CONJUNCTION WITH OBTAINING A CONTRACT FOR (A) THE PURCHASE OF MERCHANDISE, (B) THE PERFORMANCE OF SERVICES, (C) THE PURDHASE OF AN INSURANCE POLICY FROM THE PARTY WITH WHOM SUCH PERSON IS EMPLOYED.

OR

WITH THE INTENT OF BRIBING THAT PERSON FOR PURPOSES OF OBTAINING PREFERENTIAL TREATMENT, OR OF INDUCING SUCH A PERSON TO REFRAIN FROM FILING COMPLAINTS IN CONNECTION WITH THE FULFILLMENT OF SAID CONTRACT, SHALL BE PUNISHED BY A FINE OR SENTENCED TO IMPRISONMENT FOR NOT MORE THAN ONE YEAR. THE PERSON IN QUESTION SHALL ALSO BE REQUIRED TO MAKE FULL INDEMNIFICATION FOR ANY DAMAGES INCURRED.

B. ARTICLE 7. A PERSON ENGAGED IN BUSINESS, EMPLOYED WITH A BUSINESS ENTERPRISE, AN AGENCY, INSTITUTION OR A FOUNDATION WHO ACCEPTS, ACKNOWLEDGES A COMMITMENT TO RECEIVE, OR WHO ASKS FOR A GIFT OR OTHER FAVOR TO ALLOW HIMSELF THEREBY TO BE BRIBED IN CONNECTION WITH THE AWARDING OF A CONTRACT FOR (A) THE PURCHASE OF MERCHANDISE, (B) THE PERFORMANCE OF SERVICES, (C) THE PURCHASE OF AN INSURANCE POLICY FROM THE PARTY WITH WHOM HE IS EMPLOYED,

OR

TO ALLOW HIMSELF TO BE BRIBED IN RETURN FOR GIVING PREFERENTIAL TREATMENT OR IN RETURN FOR NOT FILLING COMPLAINTS IN CONNECTION WITH THE FULFILLMENT OF SAID CONTRACT, SHALL BE PUNISHED IN THE MANNER AS PRESCRIBED IN ART.6. HE SHALL ALSO BE LIABLE TO MAKE FULL INDEMNIFICATION FOR ANY DAMAGES INCURRED. THE BRIBE RECEIVED OR ITS EQUIVALENT VALUE SHALL BE FORFEITED

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

TO THE STATE.

C. ARTICLE 8. THE PROVISIONS OF ART. 6 AND ART. 7 SHALL NOT BE APPLICABLE TO OFFENSES FALLING UNDER THE SWEDISH CRIMINAL CODE.

3. AS NOTED IN REF (C), SWEDISH DEFENSE MATERIEL ADMINISTRATION DOES NOT DEAL WITH AGENTS, WHEN POSSIBLE, IN PROCURING DEFENSE NEEDS.

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

STRAUSZ-HUPE'

LIMITED OFFICIAL USE

NNN

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CORRUPTION, LAW, BUSINESS FIRMS, PUBLIC ADMINISTRATION
Control Number: n/a
Copy: SINGLE
Draft Date: 05 NOV 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: greeneet
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STOCKH05580
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750384-0870
From: STOCKHOLM
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19751174/aaaacosi.tel
Line Count: 116
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 STATE 258169, 75 STATE 255260, 75 STOCKHOLM 5547
Review Action: RELEASED, APPROVED
Review Authority: greeneet
Review Comment: n/a
Review Content Flags:
Review Date: 17 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <17 JUN 2003 by KelleyW0>; APPROVED <30 OCT 2003 by greeneet>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: BRIBERY OF FOREIGN OFFICIALS BY US FIRMS OPERATING ABROAD: APPLICABLE SWEDISH LAWS
TAGS: BGEN, PFOR, PINR, MASS, SW
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006